

SENATOR DECAMP: Mr. President, members of the Legislature. As I say, this bill was originally introduced I guess a couple of years ago by Senator Warner. They ran out of time that year. The Banking Committee was involved in this legislation another year and this year Senator Warner, as I recall the State Banking Department brought the bill over and asked that it be introduced and they explained the reasons that it's needed for state planning purposes. When these fears that Senator Newell has spoken of today were raised, we brought out the State Banking Department and we tried to contact, I guess, anybody that could legitimately say these fears were realistic or these problems were there. I think they repudiated them. Now if Senator Newell did have some serious concerns and obviously he does apparently, this bill has been there waiting for four weeks and on the floor on at least four occasions now, I've gotten up and said let's get together and I'll have the Banking Department accountants, attorneys, the IRS, anybody you want talk to you and explain the bill to you. But you see, there is no way on God's earth that if after all these people talk and give their explanations and if that explanation is not understood, that I can go any further. The bill is needed, as I think Senator Warner will tell you, in today's modern world for state planning purposes if you are going to have orderly transfer. It's one method of orderly transfer of family farms and family businesses, this type of thing, to hold them together without their destruction. I would urge you not to kill the bill. I would ask you to understand the bill and if you have doubts and reservations, I would recommend as follows, that you vote to advance it today and you contact personally your CPA, your IRS man, your attorney, or somebody you have total confidence and trust in. You have them look at the bill. You have them explain it to you personally. But understand it before you throw a red vote up or a vote to kill it up there.

PRESIDENT: Senator Luedtke.

SPEAKER LUEDTKE: Mr. President, members of the Legislature. I'm sorry to see that Senator Burrows put a kill motion on this. This is a very acceptable way of estate planning in the United States of America and unless we have come to the point where we have decided that the corporate type of organization is not acceptable to our philosophy and our form of doing business, then I think we should say so. I think that the corporate plan has done much for the people in the state of Nebraska particularly the ranchers, the farmers, the small business people who have utilized the corporate structure to their advantage. Now we talk about we're trying to avoid inheritance tax. This is not the point at all. We're trying to establish a type of business entity that will give you the most efficient operation and to save taxes. It's not a matter of trying to do somebody in on taxes. This is a legitimate approach to business. I have done quite a bit of state planning. I have in years past, I have done quite a bit of work in corporation law, particularly in the drafting of corporation laws for the state of Nebraska way back to about 15 or 20 years ago. There is nothing wrong with nonvoting stock particularly where it is from a practical standpoint. As Senator Newell said, people aren't going to invest in corporations and not have a voting right under the circumstances he projects. The way they will do it is when dad or mom in a family corporation gives away stock as an estate plan to their children,